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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 ROBERT DUKOWITZ,

7 Plaintiff,

8 v.

9 JOHN KELLEMAN,

10 Defendant.

CASE NO. C18-5968 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

11 This matter comes before the Court on the Report and Recommendation ("R&R")
12 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 9. The Court
13 having considered the R&R and the remaining record, and no objections having been
14 filed, does hereby find and order as follows:

- 15 (1) The R&R is **ADOPTED**;
- 16 (2) Plaintiff's proposed amended complaint, Dkt. 7, is **DISMISSED**; and
- 17 (3) Plaintiff's application to proceed *in forma pauperis*, Dkt. 5, and application
18 for court appointed counsel, Dkt. 1-2, are **DENIED** as moot.

19 Dated this 28th day of May, 2019.

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22 BENJAMIN H. SETTLE
United States District Judge